S.B.Cr.Misc. Bail App. No.5584/2007

(Moti Ram vs. State of Rajasthan)

DATE OF ORDER : November 16, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Ranjeet Joshi, for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

From perusal of the impugned order, it appears that petitioner has been declared absconder. Challan under section 299 Cr.P.C has been filed against the petitioner.

In Jagtar Singh Vs.Satendra Kaur alias Bhavana Grover & Ors., 2002 Cr.L.R. (SC) 807, the Hon'ble Supreme Court has held that when the accused is declared absconder, normally he is not entitled for anticipatory bail or regular bail.

In this view of the matter, in my view, it is not a fit case to grant anticipatory bail to the petitioner. Accordingly, the bail application filed by petitioner under Sec. 438 Cr.P.C seeking anticipatory bail is rejected.

(H.R.PANWAR),J.

m.asif/-